HON'BLE SRI G.S.SINGHVI, THE CHIEF JUSTICE

and

HON'BLE SRI JUSTICE G.BHAVANI PRASAD

WRIT APPEAL NO.141 OF 2006

And

WRIT PETITION NO.26924 OF 2005

Between:

M.Konda Reddy

..... Appellant/Petitioner

AND

The Government of A.P. rep. by its

Principal Secretary (Environment Forests,

Science and Technology Department),

Secretariat, Hyderabad and 5 others

.....Respondents

::JUDGMENT::

Counsel for the Petitioner/appellant : Sri S.Sriram

Counsel for Respondent Nos. 1 to 5 : G.P. for Forests

Counsel for Respondent No. 6 : Sri A.Rajasekhar Reddy

Dated 13..2..2006

Per Sri G.S.Singhvi, CJ

This appeal under Clause 15 of the Letters Patent is directed against order dated 19.12.2005 passed by the learned Single Judge whereby, he dismissed WPMP No.34602 of 2005 filed by the appellant for issuance of an interim direction to the respondents to process and decide his application for grant of permission to use forest land for non-forest purposes.

Sri S.Sriram, learned counsel for the appellant submitted that his client will feel satisfied if this appeal and the main writ petition are disposed of with a direction to the competent authority to process his client's application along with other similar applications in accordance with Forest (Conservation) Rules, 2003.

Learned Government Pleader for Forests representing respondents 1 to 5 and Sri

A.Rajasekhar Reddy, Assistant Solicitor General of India representing respondent No.6 say that they have no objection to the disposal of the writ appeal and the main writ petition in terms of the prayer made by the learned counsel.

In view of the above, this appeal as also W.P.No.26924 of 2005 are disposed of with the direction that the application made by the petitioner for grant of permission to use forest land for non-forest purposes be processed and disposed of in accordance with law along with other similar applications.

It is however made clear that this order of the Court shall not be construed as a mandate for grant of permission to the appellant-writ petitioner *de hors* the statutory provisions and the competent authority shall decide the application by independently examining the entitlement of the appellant-petitioner to use forest land for non-forest purposes.

G.S.SINGHVI, CJ

Dt.13.2.2006

G.BHAVANI PRASAD,J

msv